

## Comité d'examen des répercussions sur l'environnement et le milieu social

[illegible]

**MINUTES**  
**of the**

## 330<sup>th</sup> MEETING OF THE REVIEW COMMITTEE (COMEX)

**(adopted)**

**DATE:** June 18, 2015

**PLACE:** COMEX offices  
201 President Kennedy Ave., Suite PK-2840  
Montréal (Québec) H2X 3Y7

**PRESENT:** André Boisclair, Chairman, Québec  
Philip Awashish, CNG  
Daniel Berrouard, Québec  
Brian Craik, CNG  
Robert Joly, Québec

Executive Secretary: Marie-Michèle Tessier (by telephone)

**1) MEETING OPENED AND ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

**2) ADOPTION OF THE MINUTES OF THE 329<sup>th</sup> MEETING**

The minutes were adopted as written.

**Action: File the minutes of the 329<sup>th</sup> meeting**

**3) CORRESPONDENCE AND FOLLOW-UP ACTION**

Correspondence received and sent between June 11 and June 17, 2015 is listed in Annex A.

On June 12 of this year, the Review Committee received copies of the certificate of authorization for the extraction of natural deposits of aggregates at Waskaganish, as well as the amendment to the certificate of authorization for affected sites in the restoration master plan for the year 2015 for the Eastmain-1-A and Rupert Diversion hydro project.

The Review Committee also received for information the 2014 report on the mitigation and enhancement measures agreed upon with the tallymen for the Eastmain-1-A and Rupert Diversion project.

**4) WHABOUCHI MINE PROJECT**

- a) Preparation of the analysis report
  - *for recommendation*

WHEREAS the full analysis of the environmental and social impacts of the proposed development and exploitation of the spodumene deposit at Nemaska has been completed;

WHEREAS following analysis of the documents submitted by the proponent and taking into account the public consultations carried out in compliance with Chapter 22 of the *James Bay and Northern Quebec Agreement* and Chapter II of the *Environment Quality Act*, the Review Committee finds the project acceptable subject to the following conditions:

**Condition 1 :** This recommendation is valid insofar as the main construction work on the mining project has begun within five (5) years following the date of authorization of the project by the Provincial Administrator. If the proponent has not begun the construction work by the end of the five-year deadline, it will have to

submit an update of its project and the construction and operation schedule to the Administrator for approval.

**Condition 2 :** One year after the project's authorization, the proponent must submit an updated environmental and social monitoring program to the Administrator for approval. The updated program must include the monitoring activities referred to in Directive 019, those the proponent undertook to carry out and the monitoring required as a condition of authorization. The environmental and social monitoring program must explain the Nemaska Crees' involvement as well as that of the Environment Committee established pursuant to the Chinuchi Agreement. The proponent must specify the extent of Cree involvement in monitoring activities, especially those dealing with Lac des Montagnes. The monitoring program must also include post-operation and post-remediation monitoring.

**Condition 3 :** The proponent must submit all environmental and social monitoring reports to the Administrator for information purposes.

**Condition 4 :** The proponent must craft a communication strategy to keep the Aboriginal and non-Aboriginal communities affected by the project regularly informed of activities on the mine site, environmental and social monitoring results, operational problems and business and employment opportunities. The proponent must submit its communication strategy to the Administrator, for approval, one year after the project's authorization.

**Condition 5 :** At the end of mine wastewater treatment testing, the proponent must submit the selected mine effluent treatment method to the Administrator for approval. It must be demonstrated that this method will ensure optimum treatment.

**Condition 6 :** The proponent's environmental monitoring program must track surface water quality in Lac des Montagnes. Parameters to be measured include total phosphorus at trace levels (method MA. 303-P 5.2 of CEAEQ), chlorophyll a and clearness of water (with a Secchi disk). Monitoring stations must be established such that the final effluent plume on Lac des Montagnes can be determined. Triplicate, or at the very least duplicate, water samples must be collected from the lake once a month during the ice melt. If the weather does not allow for the collection of three samples, the proponent must adjust the sampling frequency so as to meet this objective.

**Condition 7 :** Six months after the project's authorization, the proponent must submit the list of job opportunities and minimum qualifications required (education/training, diplomas/degrees, driver's licence, etc.) to the Administrator and the community of Nemaska for information purposes.

**Condition 8 :** One year after the project's authorization, the proponent must submit an updated timetable for project implementation to the Administrator, for information purposes, and report on the steps taken to identify workforce training needs and hiring forecasts.

**Condition 9 :** The proponent's environmental and social monitoring program must include follow-up of its commitments to shut down the mine during Goose Break, implement measures to prevent drug and alcohol use on the mine site and prevent discrimination. In addition, the monitoring program must track training programs for the Crees. Monitoring must enable an assessment of the effectiveness and success rate of the measures implemented, as well as allow for measures to be adjusted where necessary based on monitoring results.

**Condition 10 :** Three months before construction begins, the proponent must submit the mandate and composition of the Environment Committee and the Implementation Committee established pursuant to the Chinuchi Agreement to the Administrator for information purposes. It must also explain the proposed communication strategy for informing residents of Nemaska and Chibougamau about the committees' work.

**Condition 11 :** The proponent's environmental and social monitoring program must include monitoring the water level in Lac du Spodumène. The proponent must define adequate baseline conditions for that purpose.

**Condition 12 :** Three years after the start of operations generating mine effluent, the proponent must submit a monitoring report to the Administrator. Monitoring must be conducted in accordance with the *Guide d'information sur l'utilisation des objectifs environnementaux de rejet relatifs aux rejets industriels dans le milieu aquatique* (or later versions). The report must say whether the environmental discharge objectives have been met and discuss the treatment performance for phosphorus. If environmental discharge objectives have not been met, the proponent must propose.

**Condition 13 :** To protect the waters in Lac des Montagnes, the proponent must ensure that the average monthly concentration of total phosphorus in final effluent does not exceed 0.3 mg/L, and that the maximum concentration of total phosphorus never exceeds 0.6 mg/L. Total phosphorus in the final effluent, at a phosphorus detection limit of lower than or equal to 0.05 mg/L, must be monitored on a weekly basis.

**Condition 14 :** One year after the project's authorization, the proponent must submit, to the Administrator, the initial sediment characterization in the project study area as well as a sediment impact assessment.

**Condition 15 :** The proponent's environmental and social monitoring program must include groundwater monitoring for major ions, total dissolved solids and oxidation-reduction potential.

**Condition 16 :** The proponent's environmental and social monitoring program must include monitoring of the integrity of the natural walleye spawning ground in Lac des Montagnes, at the mouth of Stream D. Monitoring must enable validation of continuous walleye spawning and recruitment conditions. Remedial measures must

be implemented where necessary if monitoring reveals changes in spawning or egg incubation conditions.

**Condition 17 :** Six months after the project's authorization, the proponent must submit an updated fish habitat compensation plan to the Administrator for approval. The plan must take into account all fish habitat losses and be developed in consultation with experts at the Ministère des Forêts, de la Faune et des Parcs. The compensation plan must also take into account the needs and concerns of Cree land users.

**Condition 18 :** One year after the project's authorization, the proponent must submit to the Administrator, for information purposes, a report on the steps taken to prohibit hunting, fishing and the shooting of firearms on the territory covered by its mining lease and location tickets. The report must discuss the action taken, the safety zone, and the proponent's contribution to the implementation of existing monitoring activities or continuation of oversight, as the case may be, such as that carried out in the Weh-Sees Indohoun Special Fishing and Hunting Zone. The report must also discuss talks initiated with the Eeyou Istchee James Bay Regional Government and other bodies concerned.

**Condition 19 :** Eight months after the project's authorization, the proponent must submit to the Administrator, for approval, the results of further atmospheric modelling demonstrating the effectiveness of each of the mitigation measures referred to in the Environmental and Social Impact Assessment.

**Condition 20 :** The proponent must include a sprinkling plan in the comprehensive environmental and social monitoring program it has to submit to the Administrator for approval. The sprinkling plan must include, for each road segment, the number of trips per day, the length of the segment, the sprinkled surface area, the unmitigated TSP emission rate, sprinkling intensity, sprinkling intervals, the amount of water sprayed, how effective the spraying is in controlling dust, and the mitigated TSP emission rate.

**Condition 21 :** The proponent must include air quality monitoring in the comprehensive environmental and social monitoring program it has to submit to the Administrator for approval. The planned sampling and analysis methods must be explained.

**Condition 22 :** One year after the project's authorization, the proponent must submit the conditions for relocating camps following construction of the mine to the Administrator for information purposes. Every five years, the proponent must submit the log of complaints about mining operations and relocation requests to the Administrator, including an analysis of the complaints and the action taken to address them. The proponent must also provide the information communicated to land users regarding blasting schedules.

**Condition 23 :** The proponent must install signs on the Route du Nord or use other means to warn truck drivers carrying spodumene concentrate that a Cree camp is located nearby.

**Condition 24 :** The proponent must submit the five-year restoration plans required under the *Mining Act* (R.S.Q., chapter M-13.1) or, failing such a plan, the work it considers necessary, to the Administrator for information and comments.

**Condition 25 :** In the event of a temporary mine closure, the proponent must uphold its commitment to continue all monitoring programs until the resumption of activities, if activities resume within 12 months. If the mine remains closed for longer than 12 months, the proponent must inform the Administrator about the planned action to continue environmental monitoring and begin restoration work, as the case may be.

**Condition 26 :** Except in unforeseen circumstances, if the proponent temporarily halts its mining activities for longer than one (1) month, it must notify the Administrator, the community of Nemaska, the Ville de Chibougamau and the Eeyou Istchee James Bay Regional Government at least one month in advance.

**Condition 27 :** One year prior to the cessation of mining operations, the proponent must submit to the Administrator, for approval, the details of the dismantling of all project-related infrastructures and the planned rehabilitation work under the site restoration plan. The restoration plan must be prepared in consultation with the community of Nemaska and contain, in particular, physical rehabilitation of the site, renaturalization, cleanup, safety measures and possible mine effluent control measures. In addition to forest restoration objectives, the proponent must consider wildlife habitat enhancements and Cree land use and occupancy. The plan should include continued monitoring of the receiving environment following the cessation of mining operations.

**Condition 28 :** The proponent must incorporate the monitoring of cumulative effects proposed in its Environmental and Social Impact Assessment into the comprehensive environmental and social monitoring program it has to submit to the Administrator for approval.

**Condition 29 :** Six months before mine operation begins, the proponent must submit the final emergency measures plan to the Administrator for information purposes. The plan must cover all possible situations involving spills, fires, explosions and the release of toxic substances, as well as clearly and fully define all response measures in case of an accident, particularly in terms of communication with the government authorities concerned (Urgence-Environnement, Ministère de la Sécurité publique, Ministère des Transports du Québec, SOPFEU, etc.), potential closure of the Route du Nord and forest fires.

**Condition 30 :** The proponent must submit a copy of the final emergency measures plan and all subsequent updates to the community of Nemaska, the Ville de Chibougamau, the Ministère de la Santé et des Services sociaux, the Cree Board of

Health and Social Services and the Direction régionale de la sécurité civile et de la sécurité incendie of the Ministère de la Sécurité Publique for the Outaouais, Abitibi-Témiscamingue and Nord-du-Québec administrative regions.

**Condition 31 :** The proponent must draw up the annual monitoring program for the Lac du Spodumène little brown bat nursery colony in consultation with experts at the Ministère des Forêts, de la Faune et des Parcs. This monitoring program must be incorporated into the comprehensive environmental and social monitoring program for the Whabouchi project that has to be submitted to the Administrator for approval.

**Condition 32 :** If a negative impact from construction and operation of the project is detected during monitoring of the Lac du Spodumène peatland, the proponent must submit additional compensation measures specifically for this wetland to the Administrator for approval.

**Condition 33 :** The comprehensive environmental and social monitoring program the proponent is required to submit to the Administrator for approval must include monitoring of the hydrological, ecological and habitat functions of the Lac du Spodumène peatland and adjacent shrub swamp.

**Condition 34 :** One year after the project's authorization, the proponent must submit a wetland loss compensation plan to the Administrator for approval.

**Condition 35 :** If any invasive exotic species are positively identified during its monthly detailed inspections in summer to verify the integrity and stability of mine structures, the proponent must send a copy of the report to the Administrator for information purposes.

**Condition 36 :** The proponent must determine the feasibility of using small, closed thermophilic composting equipment. The compost produced can be used for the gradual restoration work. The results of the feasibility study must be submitted to the Administrator for information purposes six months after the project's authorization.

**Condition 37 :** Three months before construction begins, the proponent must submit to the Administrator, for information purposes, a document stating the amount of each type of residual material that will be generated on site during each phase of the project. The document must confirm the final disposal site selected, its capacity to receive residual materials generated by the Whabouchi project, and the needs of the community of Nemaska.

ACCORDINGLY, the members of the Review Committee agreed:

*#2015-0618-01: to recommend to the Provincial Administrator that the Whabouchi mine project be authorized subject to the above conditions.*

**Action: Send a letter to the Provincial Administrator.**

**5) ROUTE 167 NORTH EXTENSION BY THE MTQ**

- a) Application for amendment regarding decontamination work for the spills at the camp at Km 99
- *for recommendation*

WHEREAS condition 10 of the amendment to the certificate of authorization issued on July 11, 2014 requires that any soil decontamination work is the responsibility of the proponent by virtue of Chapter II of the *Loi sur les travaux de décontamination*. In its application, the MTQ wants this obligation passed to their contractor due to the history and contractual obligations of the file;

WHEREAS the creator of the spill is responsible for its clean-up, the MTQ is the project manager for the road construction and also responsible for the land on which its contractors work;

ACCORDINGLY, the members of the Review Committee agreed:

*#2015-0618-02: to recommend to the Provincial Administrator that Condition 10 of the amendment to the certificate of authorization issued July 11, 2014 remain unchanged. Thus the MTQ should remain responsible for the work within the meaning of sections 31.51 and 31.53 of the Environment Quality Act.*

**Action: Send letter to the Provincial Administrator.**

- b) Application to amend the decommissioning and restoration program for sites affected by work at Lot A –  
Rock ridge km 64 and 70
- *for recommendation*

WHEREAS the MTQ has made an application to modify Condition 1 of the amendment to the certificate of authorization issued January 13, 2015 so as to carry out the restoration using a minimum slope of 2H : 1V rather than the original slope of 3 : 1 is acceptable to all parties;

ACCORDINGLY, the members of the Review Committee decided:

*#2015-0618-03: to recommend to the Provincial Administrator that Condition 1 of the amendment to the certificate of authorization issued January 13, 2015 be modified to make the minimum slope for restoration work 2H : 1V.*

**Action: Send letter to the Provincial Administrator.**



- c) Application for amendment regarding the permanent camps
  - *for recommendation*

WHEREAS the MTQ wishes to change the locations of the permanent camps for the Route 167 North extension project. The initial site planned at km 98+200, in the D-95-100-G deposit, would be relocated along the road to Km 95.5. This location would provide access to three sources of material kept for future road maintenance, part of sandpits D-89-92C, D-95-100C and D-141A-1. Furthermore, the first permanent camp would be built on the site currently used for Camp 1 in Lot A, which is at Km 399 (permanent mileage for the road);

WHEREAS the MTQ plans to use a surface area of about 150 m by 150 m for each of these sites. This surface area would allow for the development of the standard buildings and installations required for road maintenance in remote areas;

ACCORDINGLY, the members of the Review Committee decided:

*#2015-0618-04: to recommend that the Provincial Administrator authorize the amendment to the certificate of authorization for the permanent camps.*

**Action: Send letter to the Provincial Administrator.**

**6) ELEONORE MINE**

- a) Application for amendment concerning mining the crown pillar
  - *for recommendation*

WHEREAS the initial project involved mining the deposit using underground mining, leaving about 65 m of un-mined surface (called the crown pillar). The proponent has requested an amendment in order to mine this layer of unexploited ore. This crown pillar is located under a shallow portion of the Opinaca reservoir to the southwest of the mine site industrial zone. Mining the crown pillar would result in greater operational flexibility for supplying the treatment plant and would reduce water infiltration into the mine;

WHEREAS the information provided by the proponent is cursory, although it indicates that additional information will be submitted in October of 2015. A draft table of contents was appended to the information provided. The Review Committee understands that the subjects contained in the draft table of contents will be addressed in the additional information submitted in October 2015;

ACCORDINGLY, the members of the Review Committee decided:

*#2015-0618-05: to send a letter to the Provincial Administrator outlining several important elements that the proponent should include in its analysis.*

**Action: Send letter to the Provincial Administrator.**

**7) RENARD MINE**

- a) Application for amendment in order to relocate the mine wastewater treatment plant
  - *for recommendation*

WHEREAS, in order to minimize the negative impacts on the marine environment of the construction of the pipe for mining effluent, the proponent's proposal is to relocate the permanent mine wastewater treatment plant to the site of the old Lagopède camp. At this location, the depth of Lac du Lagopède falls off rapidly to the depth required to protect the pipe. This will mean that a temporary jetty about 130 metres long will be sufficient to carry out the work of burying the pipe in Lac du Lagopède. Environmentally, this is an improvement over the original plan;

ACCORDINGLY, the members of the Review Committee decided:

*#2015-0618-06: to recommend to the Provincial Administrator that the certificate of authorization be amended in order to relocate the mine effluent plant.*

**Action: Send letter to the Provincial Administrator.**

**8) BACHELOR MINE**

- a) Responses to questions and comments on the restoration plan
  - *for authorization*

WHEREAS analysis of the restoration plan is still under way, this topic will be postponed until the next COMEX meeting.

**9) EASTMAIN-1-A AND RUPERT DIVERSION PROJECT**

- a) Comments regarding the Lemare-Nemiscou flow release
  - *for information*

WHEREAS changes to the hydrographs of the Lemare and Nemiscou rivers will have an impact on the flow rate in the Rupert River because these two rivers feed into it;

WHEREAS during the assessment of the project's impacts on water temperatures and ice regimes of the Lemare and Nemiscou rivers, and therefore on fish, the proponent held that the instream flow regime for these two rivers were consistent with the natural hydrograph;

WHEREAS, in analyzing the hydrographs under future conditions for the Lemare and Nemiscou rivers, the Review Committee notes that the spring flow release date of May 6

does not correspond to the date authorized in the certificate of authorization issued November 24, 2006;

ACCORDINGLY, the members of the Review Committee decided:

*#2015-0618-07: to inform the Provincial Administrator that the members of the Review Committee have taken note of the three documents sent and noted that a set date has now been determined for the spring flow release on the Lemare and Nemiscau rivers which is not the date authorized in the certificate of authorization issued November 24, 2006. If the proponent wishes to proceed with this plan, the Review Committee believes that it should apply for an amendment to the CA to this effect.*

**Action: Send letter to the Provincial Administrator.**

#### **10) EASTMAIN WATER SUPPLY SYSTEM – PHASE II**

- a) Application for an amendment to the certificate of authorization
  - *for recommendation*

WHEREAS, following analysis of the document concerning Phase 2 of the drinking water supply system for Eastmain, it appears that the planned treatment process corresponds to the treatment objectives of the project and to the requirements prescribed in the *Regulation respecting the quality of drinking water*. Moreover, the design of the installations conforms to the MDDELCC's *Guide de conception des installations de production d'eau potable*. However, when the equipment is put into service, attention should be paid to the control of disinfection by-products in order to ensure the effectiveness of the solution and to meet water quality standards regarding trihalomethanes (THMs) and haloacetic acids (HAAs);

ACCORDINGLY, the members of the Review Committee decided:

*#2015-0618-08: to recommend that the Regional Administrator authorize Phase II of the water supply system for the community of Eastmain, while mentioning that special attention should be paid to monitoring the concentrations of trihalomethanes (THMs) and haloacetic acids (HAAs). Monitoring reports should be transmitted to the competent authorities and, if appropriate, assistance could be sought from the MDDELCC.*

**Action: Send letter to the Regional Administrator.**

#### **11) VARIA**

NA.

#### **12) DATE AND PLACE OF NEXT MEETING**

The next meeting will be held Wednesday, July 29, 2015 in Montréal.

**Annex A  
Correspondence and follow-up action -- June 3 to June 11, 2015**

PROJECT	FROM	TO	DOCUMENT	DATE	COMMENTS	ACTION
Eastmain 1A and Rupert diversion hydropower project 3214-10-017	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	No comment to make on monitoring of lake sturgeon	Sent: June 5, 2015	- Acknowledgement of receipt (June 10, 2015)	- <i>For information</i>
	Mireille Paul MDDELCC	André Boisclair COMEX	Transmittal of 2014 report on mitigation and enhancement measures agreed upon with tallymen – Condition 6.11	Received: June 15, 2015		- <i>For information</i>
	Mireille Paul MDDELCC	André Boisclair COMEX	Copy of amendment to the CA: 2015 restoration master plan for affected sites	Received: June 12, 2015		- <i>For information</i>
Extraction of natural deposits of aggregates at Waskaganish 3214-03-030	Mireille Paul MDDELCC	André Boisclair COMEX	Copy of the CA	Received: June 12, 2015		- <i>For information</i>
Municipal landfill for household wastes, Waswanipi 3214-16-068	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Additional questions for the proponent	Sent: June 5, 2015	- Acknowledgement of receipt (June 10, 2015)	- <i>For information</i>
Renard Diamond Mine by Stornoway Diamonds Inc. 3214-14-041	Mireille Paul MDDELCC	André Boisclair COMEX	Transmittal of the application for amendment of the CA: relocating the mine wastewater treatment plant	Received: June 9, 2015		- <b><i>For recommendation</i></b>